

REMARKS/ARGUMENTS

The December 19, 2003 Office Action rejected all of the pending claims. In response to the Office Action a number of claims have been amended, and reconsideration of all the pending claims is requested.

REJECTION OF CLAIM 38

The Office Action rejected claim 38 under 35 USC §103 as being unpatentable over Minton (US Pat. No. 6,014,643) in view of Bushner (US Pat. No. 6,462,671). The Office Action takes the position that Minton teaches “a computer implemented method for securities trading that comprises maintaining a data list which includes all of the plurality of items being tracked (column 10, lines 15-27); including in the data list a plurality of category tags for each of the plurality of items being tracked (column 10, lines 28-42 and Figure 5) . . . and displaying in a sublist associated with a designated category tag all of those items in the data list which have the designated category tag (column 10, lines 28-42 and Figure 5 and column 15, lines 14-24).” Office Action p. 6. The Office Action recognizes that Minton does not teach implementing the method on a hand held device, and cites Bushner for its teaching regarding a hand held device.

It is respectfully submitted that the analysis from the Office Action appears to have overlooked some significant aspects of the elements of claim 38. For example claim 38 recites in part:

including in the data list at least one category tag for each of the plurality of the securities being tracked;
for at least a first one of the securities being tracked providing at least two category tags; and
displaying in a sublist associated with a designated category tag all of those securities in the data list which have the designated category tag, wherein the first security which has at least two different category tags, will be displayed in at least two different sublists of securities based on the at least two category tags provided for the first security

The Office Action reference to Minton column 10, lines 28-42, seems to show that the discussion of the “current markets field 518” in Minton is interpreted by the Examiner as the same as the category tag recited in claim 38. In fact, the “current markets field 518” appears to be something very different than a category tag. Specifically, the current markets field of Minton appears to merely allow a user to select between viewing, or not viewing, securities which are external to the individual trading network. See, Minton col. 10: lines 40-42. Further

Minton at col. 15, discusses a monitor markets button which allows a user to monitor other markets. However, the very discussion of Minton seem to contemplate a situation where depending on the market being viewed different information is loaded and displayed by the user's computer. This is different than the situation where a user selects on overall data list of securities being tracked, and then this data list is held in the computing device, and then sublists are generated off the overall data list based on the category tag. The operation of claim 38, as opposed to the other operation described in Minton, provides an effective and efficient solution for operating in an environment with limited transmission bandwidth and limited memory.

As shown by the above language from claim 38, a given item being tracked can actually have multiple categories. This is a significant characteristic of the category tag in claim 38. For example, consider a situation where items being tracked include 100 different securities. The information for these securities would be maintained in a data list with each of the different securities, and would include at least one classification tag for each security. The operation provides for displaying a sublist of the securities based on the classification tags. For example, the computing device could display a sublist of ten securities which have a classification tag of "hitek" and could then display a different sublist of, say for example, eight securities having a category tag of "medical". Further, given that at least one of the items being tracked has at least two category tags, for example, one of the securities could have the tags of both "hitek" and "medical", and such a security would be displayed both when the "hitek" category tag items are being displayed, and when the "medical" category tag items are displayed. This operation is very different than that described in the Minton reference. The operation recited in claim 38 offers a number of advantages in that a range of different displays of sublists can be provided, and each of the different sublists is generated off the same master data list, and a single item can belong to multiple sublist groupings. Further the teaching of Bushner, cited in connection with showing a hand held device does not appear to add any teaching regarding category tags and displaying sublists as recited in claim 38. Thus, it is respectfully submitted that a combination of Minton and Bushner would not lead to a method as recited by claim 38.

In light of the above it is respectfully submitted that claim 38 is distinguishable of the prior art.

REJECTION OF CLAIMS 1-13, 22-37

Claims 1 and 22 were rejected as being anticipated by Minton. In rejecting these claims the Office Action stated in part:

“a computer implemented method for securities trading that comprises maintaining a data list which includes all of the plurality of items being tracked (column 10, lines 15-27); including in the data list a plurality of category tags for each of the plurality of items being tracked (column 10, lines 28-42 and Figure 5); and displaying in a sublist associated with a designated category tag all of those items in the data list which have the designated category tag”.

Office Action p. 3. In connection with claim 1, it is noted that as amended claim 1 recites:

maintaining a data list which includes all of the plurality of items being tracked, wherein the plurality of items being tracked is limited to a predetermined number of items, and wherein maintaining the data list includes storing information received from the communications center in a memory, for each item being tracked;
including in the data list a category tag for each of the plurality of items being tracked;
and
displaying in a sublist associated with a designated category tag all of those items in the data list which have the designated category tag.

The above amended claim 1 highlights a significant difference between claim 1 and Minton. As discussed above Minton describes a “current markets field” which allows a user to select between viewing, or not viewing, securities which are external to the individual securities trading network. In no case does Minton appear to disclose, or suggest, a system or method where information is tracked and stored for a group of items, and then this stored information is selectively displayed in sublists based on category tag information. The operation of the method of claim 1 can be very advantageous where a limited amount of transmission bandwidth is provided, and a limited amount of storage is available. In the method of claim 1, a limited number of items are tracked and information for these items is received from a central communications center, and this information is stored. The information can then be displayed in sublists, which are subsets of the entire master data list of items.

It is respectfully submitted that the fundamental concept and operation as recited in claim 1 is very different than the operation described in the Minton reference. Thus, it is respectfully submitted that claim 1 is patentable over Minton. Further, it is respectfully submitted that claims 2-13 depend from claim 1 and are submitted to be patentable for at least the same reasons as claim 1.

Claim 22 appears to be very different than the system and method discussed in Minton. The “current markets field 518” described in Minton can be activated so only those securities traded in the individual securities trading network will be displayed. This operation appears to be very different than maintaining information which includes user supplied classification tags for each item, and then displaying lists the items being tracked based on the classification tags. Indeed, the user supplied classification tag is an important element which is expressly recited in claim 22, as shown in the excerpt from claim 22 below (emphasis added):

a data list in which information is maintained for each of the plurality of items being tracked including a **user-supplied classification tag**;
a display function which is capable of displaying the plurality of items being tracked in lists organized by common classification tags.

In a distinctly different method of operation, Minton appears to allow a user to operate such that securities which are external to trading network can be viewed depending on whether the “current markets field 518” is activated. However, the operation of the current markets field is something very different than the method of claim 22, where a user can supply different classification tags, to create a display of different sublists where each sublist displayed includes items with the same classification tag.

Thus, in light of the above it is respectfully submitted that claim 22 is patentable over Minton. Further, claims 23- 29 depend from claim 22 and are respectfully submitted to be patentable for at least the same reasons as claim 22.

Claim 30 recites elements which are very similar to the elements of claim 22, and claim 30 was rejected under a very similar analysis as was provided in connection with claim 22. It is respectfully submitted that the discussion of claim 22 relative to Minton, is also applicable to claim 30. Thus, it is respectfully submitted that claim 30 is patentable over Minton. Further, claims 31-37 depend from claim 30, and are respectfully submitted to be patentable for at least the same reasons as claim 30.

REJECTION OF CLAIMS 14-21

The rejection of claim 14 was based on very similar analysis as was used in connection with the rejection of claims 1 and 22. Claim 14 recites a computing device where “ the data list and the classification tags area stored in a memory of the computing device” and the computing

device operates to store “information received from the central communications center for each of the items being tracked, and wherein in the computing device operates to limit the number of items being tracked to a predetermined number”. Further, the computing device then can operate to display a list of all of the plurality of items being tracked by the identifier and the associated classification tag and information received from the central communications center for all of the plurality of items being tracked; and the computing device can display sublists of the plurality of the items being tracked, where the sublists are organized by classification tag along with information about the items received from the central communications center in the displayed sublists.

The above elements of claim 14 highlight a difference between the system of claim 14 and the system described in Minton. For example, the data list stored including classification tags and information from the central communications center for each of the items being tracked, is stored in a memory of the computing device. This data which is stored in the memory can then be selectively displayed in sublists based on the classification tags for the items being tracked. This operation allows for efficient operation where transmission bandwidth and memory of the device is limited. In contrast the system and method of Minton does not appear to provide category tags for items being tracked, nor does it appears that information for all of the items being tracked is stored in a memory and then selectively displayed based on category tags. Instead, Minton appears to provide for an entirely unrelated operation of providing a “current markets field” which allows for a user to control whether securities external to a trading network are shown. Minton col. 10:40-42.

Thus, it is respectfully submitted that claim 14 is patentable over Minton. Further, claims 15-21 depend from claim 14 and are respectfully submitted to be patentable for at least the same reasons as claim 14.

CONCLUSION

For the reasons set forth above, it is believed that all claims present in this application are patentably distinguished over the references. Therefore, reconsideration is requested, and it is requested that this application be passed to allowance.

Respectfully submitted,

STALLMAN & POLLOCK LLP

Dated: March 17, 2004

By: 

Brian J. Keating
Reg. No. 39,520

Attorneys for Applicant(s)